

EXHIBIT G

(A16-5)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3-8-05

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re TERRORIST ATTACKS on)
SEPTEMBER 11, 2001) 03 MDL 1570 (RCC)
) BCF Case
)

This document relates to:

O'Neill v. Al Baraka Inv. & Dev. Corp., 04-CV-1923 (RCC)
New York Marine & General Ins. Co. v. Al Qaida, 04-CV-6105 (RCC)
Continental Casualty Co. v. Al Qaeda Islamic Army, 04-CV-5970 (RCC)
Cantor Fitzgerald & Co. et al. v. Akida Bank Private Ltd., 04-CV-7065 (RCC)

**STIPULATION AND ORDER SETTING SCHEDULE FOR
THE NATIONAL COMMERCIAL BANK TO RESPOND TO COMPLAINTS**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel for the *O'Neill*, *New York Marine*, *Continental Casualty*, and *Cantor* Plaintiffs (collectively, "Plaintiffs") and for Defendant The National Commercial Bank ("NCB"), subject to the approval of the Court, as follows:

1. The Court previously approved Stipulations by and between counsel for Plaintiffs and NCB that would have required NCB to move to dismiss or otherwise respond to Plaintiffs' complaints within forty-five (45) days from the date on which the Court decided NCB's motions to dismiss in *Burnett* (03-CV-9849) and *Ashton* (02-CV-6977). See MDL Dkt. #532 (*Cantor*); MDL Dkt. #542 (*O'Neill*); MDL Dkt. #621 (*NY Marine* and *Continental Casualty*).

2. On January 18, 2005, the Court denied without prejudice NCB's motions to dismiss in *Burnett* and *Ashton*, with leave to renew NCB's motion to dismiss those actions after completing limited jurisdictional discovery. MDL Dkt. #632 (Opinion and Order). On February 1, 2005, NCB filed a motion for reconsideration of the January 18 Opinion and Order, and that motion remains pending. See MDL Dkt. #648.

3. Subject to the disposition of NCB's pending motion for reconsideration, NCB shall file a consolidated motion to dismiss, or otherwise file individual responses to, the Complaints in

O'Neill, New York Marine, Continental Casualty, and Carter on the same date that NCB renew its motion to dismiss the *Burnett* and *Ashton* actions, as allowed by the Court's January 18, 2005, Opinion and Order. The memorandum of law in support of NCB's consolidated motion shall not exceed 25 pages in length.

4. Plaintiffs shall have sixty (60) days from the date on which it is served with NCB's consolidated motion to dismiss to file their consolidated response to NCB's motion to dismiss. Plaintiffs' consolidated memorandum of law in response to NCB's consolidated motion shall not exceed 25 pages in length.

5. NCB shall have 30 days thereafter to file a consolidated reply to Plaintiffs' opposition. NCB's consolidated reply memorandum of law shall not exceed 10 pages in length.

6. The foregoing schedule is without waiver of any of NCB's defenses or of NCB's pending motion for reconsideration in the *Burnett* and *Ashton* actions.

Dated: *Frank J. Rubino Jr.* February 7, 2005

Respectfully submitted,

PATTON BOGGS LLP

Ronald S. Liebman (admitted *pro hac vice*)
Mitchell R. Betger (MB 4112)
Ugo Colella (admitted *pro hac vice*)
2550 M Street, N.W.
Washington, D.C. 20037
Phone: (202) 457-6000
Fax: (202) 457-6315

Counsel for Defendant
The National Commercial Bank

BROWN GAVALAS & FROMM LLP

Frank J. Rubino Jr. (HR 6202)
355 Lexington Avenue
New York, New York 10017
Phone: (212) 983-8500
Fax: (212) 983-5946

Counsel for Plaintiff
New York Marine & General Insurance Company

FERBER FROST CHAN & ESSNER, LLP

Robert M. Kaplan (RK 1428)
530 Fifth Avenue
23rd Floor
New York, New York 10036-5101
Phone: (212) 944-2200

*Counsel for Plaintiffs
Continental Casualty Co. et al.*

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

Kenneth L. Adams (*pro hac vice* pending)
Richard W. Fields
Jonathan M. Goodman (JG 3031)
Stacey Saiontz (SS 1705)
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
Phone: (212) 835-1400
Fax: (212) 997-9880

*Counsel for Plaintiffs
The Port Authority of New York and New Jersey,
Cantor Fitzgerald & Co. et al.*

LAW OFFICES OF JERRY S. GOLDMAN
& ASSOCIATES, P.C.

Jerry S. Goldman
111 Broadway
13th Floor
New York, New York 10006
Phone: (212) 242-2232
Fax: (212) 346-4665

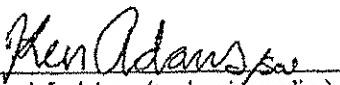
*Counsel for Plaintiff
John P. O'Neill et al.*

FERBER FROST CHAN & ESSNER, LLP

Robert M. Kaplan (RK 1428)
530 Fifth Avenue
23rd Floor
New York, New York 10036-5101
Phone: (212) 944-2200

Counsel for Plaintiffs
Continental Casualty Co. et al.

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP


Kenneth L. Adams (*pro hac vice pending*)
Richard W. Fields
Jonathan M. Goodman (JG 3031)
Stacey Saiontz (SS 1705)
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
Phone: (212) 835-1400
Fax: (212) 997-9880

Counsel for Plaintiff
The Port Authority of New York and New Jersey,
Cantor Fitzgerald & Co. et al.

LAW OFFICES OF JERRY S. GOLDMAN
& ASSOCIATES, P.C.

Jerry S. Goldman
111 Broadway
13th Floor
New York, New York 10006
Phone: (212) 242-2232
Fax: (212) 346-4665

Counsel for Plaintiffs
John P. O'Neill et al.

PERBER FROST CHAN & ESSNER, LLP

Robert M. Kaplan (RK 1428)
530 Fifth Avenue
23rd Floor
New York, New York 10036-5101
Phone: (212) 944-2200

*Counsel for Plaintiffs
Continental Casualty Co. et al.*

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

Kenneth L. Adams (*pro hac vice pending*)
Richard W. Fields
Jonathan M. Goodman (JG 3031)
Stacey Saiontz (SS 1705)
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
Phone: (212) 835-1400
Fax: (212) 997-9880

*Counsel for Plaintiff
The Port Authority of New York and New Jersey,
Cantor Fitzgerald & Co. et al.*

LAW OFFICES OF JERRY S. GOLDMAN
& ASSOCIATES, P.C.

Jerry S. Goldman
111 Broadway
13th Floor
New York, New York 10006
Phone: (212) 242-2232
Fax: (212) 346-4665

*Counsel for Plaintiff
John P. O'Neill et al.*

Dated: New York, New York
March 7, 2005

SO ORDERED:


Richard C. Casey
U.S.D.J.